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528 Rec'd PCT/PTO 06 APR 2000

146.1307

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
JEAN-LUC DUBOIS :  
Serial No.: 202,217 :  
Filed: December 9, 1998 :  
For: NEW DEVICES...AS MEDICAMENTS :

600 Third Avenue  
New York N.Y. 10016  
April 6, 2000

RENEWED PETITION UNDER 37 C.R.F. 1.47

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the decision on petition dated March 9, 2000,  
Applicant renews the petition in view of the material submitted  
herewith.

The present petition is under the provisions of 37 C.F.R. 1.47  
and not under 37 C.R.F. 1.42 since the inventor is not deceased  
but, rather, has refused to execute the declaration. The Legal  
Examiner indicated that Applicant has complied with points 1 and 6  
of the Rule which means that Applicant submitted the proper fee and  
demonstrated the necessity to preserve the rights of the party to  
the application. With respect to Exhibits A and D to F which were  
submitted with the response but were apparently lost by the Patent  
Office, Applicant is submitting copies herewith.

With respect to proof that the Applicant had sufficient  
proprietary interest in the application, Applicant again calls the  
Patent Office's attention to the copy of the employment contract

Express Mail  
Receipt  
Date of Deposit  
EL 56891657  
April 6, 2000  
I hereby certify that this paper of fee is  
being deposited with the United States Postal  
Service "Express Mail Post Office to Address"  
Machine under 27 CFR 1.10 on the date indicated  
above and is addressed to the Commissioner  
of Patents and Trademarks, Washington, D.C.  
20231

April 6, 2000  
D. Holmberg  
Signature of person making paper of fee

and the English translation thereof and copy of the French law and the English translation thereof and attestation of the contract of Jean-Luc Dubois, these were filed with the last response together with Mr. Vieillefosse's declaration on behalf of the Applicant. With respect to Mr. Vieillefosse's authority to sign for the company, Applicant is submitting herewith a copy of granting of the power to Mr. Vieillefosse as well as an English translation thereof which unequivocally demonstrates that he has the authority to execute on behalf of the company.

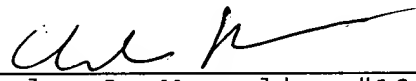
With respect to the inventor's place of residence and the Post Office address, Applicant is submitting herewith another declaration by Mr. Vieillefosse that unequivocally states that the present address of Mr. Dubois is not known since Mr. Dubois has refused to provide the same to Mr. Vieillefosse or to the employer. However, Applicant has provided the present employment address of Mr. Dubois so that correspondence mailed thereto could reach him. Applicant cannot provide to the Patent Office what the inventor has refused to provide. The address at 63 rue de Meauz, 75019 Paris, France was the last known residence of Mr. Dubois.

With respect to Mr. Dubois' refusal to execute the declaration for the application, the present declaration of Mr. Vieillefosse unequivocally states that Mr. Dubois has orally refused in his telephone conversations with Mr. Vieillefosse to execute the present application.

Therefore, it is deemed that Applicant has complied with all the necessary requisites for the acceptance of the declaration and the Patent Office is requested to kindly grant the petition under 37 C.F.R. 1.47(b).

Respectfully submitted,  
Bierman, Muserlian and Lucas

By:

  
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CAM:ds  
Enclosures